

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): James M. Gill, et al.
APPLICATION NO.: 09/939,206
FILING DATE: August 24, 2001
TITLE: FREIGHT RATE MANAGER
EXAMINER: Unassigned
GROUP ART UNIT: 2162
ATTY. DKT. NO.: 22725-05869

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Non-Fee Amendment, Commissioner For Patents, Washington, D.C. 20231, on the date shown below:

Dated: 3/26/03

By: [Signature]
Brian M. Hoffman, Reg. No.: 39,713

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WASHINGTON, D.C. 20231

SUPPELEMENTAL INFORMATION DISCLOSURE STATEMENT

Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☒ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;

- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:
 - ☐ Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
 - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this

certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

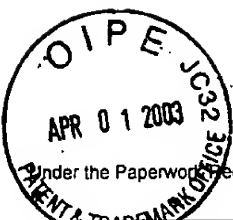
- ☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☒ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. 09/573,583, filed on May 18, 2000, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- ☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,
JAMES M. GILL, ET AL.

Dated: 3/26/03

By: 
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Substitute for form 1449A/PTO

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known

| | |
|------------------------|----------------------|
| Application No. | 09/939,206 |
| Filing Date | August 24, 2001 |
| First Named Inventor | James M. Gill, et al |
| Art Unit | 2162 |
| Examiner Name | Unassigned |
| Attorney Docket Number | 22725-05869 |

Sheet 1 of 2

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U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document No. Number - Kind Code ² (if known) | Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|--------------------|-----------------------|--|--------------------|--|
| | A1 | US 2002/0049622 A1 | 04-25-2002 | Lettich, <i>et al.</i> |
| | A2 | US 2002/0010665 A1 | 01-24-2002 | Lefebvre, <i>et al.</i> |
| | A3 | US-5,063,506 | 11-05-1991 | Brockwell, <i>et al.</i> |
| | A4 | US-5,485,369 | 01-16-1996 | Nicholls, <i>et al.</i> |
| | A5 | US-5,799,151 | 08-25-1998 | Hoffer |
| | A6 | US-5,721,832 | 02-24-1998 | Westrope, <i>et al.</i> |
| | A7 | US-6,065,673 | 05-23-2000 | Kokkila |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document Country Code ³ - Number ⁴ Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | T ⁶ |
|--------------------|-----------------------|--|--------------------------------|--|----------------|
|--------------------|-----------------------|--|--------------------------------|--|----------------|

OTHER REFERENCES - NON-PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T ⁶ |
|--------------------|-----------------------|---|----------------|
| | C1 | Network Computing web pages. "International E-Commerce" pp. 1-2 [online], November 15, 1999 [retrieved on 06/06/02]. Retrieved from the Internet: <URL: http://www.networkcomputing.com/1023/1023f24.html > | |
| | C2 | Network Computing web pages. "International E-Commerce Governing Who Goes Global" pp. 1-2 [online], November 15, 1999 [retrieved on 06/06/02]. Retrieved from the Internet: <URL: http://www.networkcomputing.com/1023/1023f23.html > | |
| | C3 | Network Computing web pages. "Shippers Try Software To Tally Foreign Tariffs" pp. 1-3 [online], December 20, 1999 [retrieved on 06/06/02]. Retrieved from the Internet: <URL: http://www.networkcomputing.com/news/1999/story/0.11280.37919.00.html > | |
| | C4 | SupplyChainBrain.com web pages. "The Level of Detail Determines Accuracy in Computing Landed Cost" pp. 1-4 [online], April 2001 [retrieved on 06/06/02]. Retrieved from the Internet: < http://www.supplychainbrain.com/archives/4.01.opinion.htm?adcode=30 > | |

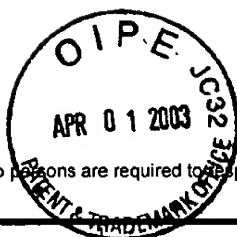
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Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

22725/05869/SF/5096063.1



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PTO/SB/08A (10-01)
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|---|---|----|---|--------------------------|----------------------|
| Substitute for form 1449A/PTO | | | | Complete if Known | |
| SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | Application No. | 09/939,206 |
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| | | | | Art Unit | 2162 |
| | | | | Examiner Name | Unassigned |
| Sheet | 2 | of | 2 | Attorney Docket Number | 22725-05869 |

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| OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS | | | |
|--|-----------------------|--|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T ⁶ |
| | C5 | SupplyChainBrain.com web pages. "The Supply Chain e-Business Top 100 Plan: Supply-Chain Planning Builds on Its Success" pp. 1-4 [online], June 2001 [retrieved on 06/06/02]. Retrieved from the Internet: < http://www.glscs.com/archives/6.01.Plann100.htm?adcode=80 > | |
| | C6 | ManufacturingSystems.com web pages. "International efficiencies, Trade logistics software increases supply chain visibility, aids sourcing across national boundaries," pp. 1-3 [online] [retrieved on 06/06/02]. Retrieved from the Internet: < http://www.manufacturingsystems.com/newsletter/012802/sb0128.asp > | |
| | C7 | Arzoon Life Solutions web pages. "Total Landed Cost Calculator," pp.1-2 [online] [retrieved on 06/06/02]. Retrieved from the Internet: < http://www.arzoon.com/als_TotalLandedCostCalculator.html > | |
| | C8 | "Supply Chain Network Optimization," Genesis Solutions, 8 pages, < http://www.genessolutions.com > | |
| | C9 | "Logistics Execution for Global Trade," TRADEPAQ Corporation, 2 pages, © 1999-2002 by TRADEPAQ Corporation | |
| | C10 | Widesoft Systems web pages. ""Widesoft B2B Solutions," pp.1-4 [online] [retrieved on 06/06/2002]. Retrieved from the Internet: < http://www.widesoft.com/br/site/english > | |
| | C11 | WorldWide Retail Exchange web pages. "WorldWide Trade Logistics," 2 pages [online], [retrieved on 06/06/2002] Retrieved from the Internet: < http://worldwideretailexchange.org/cs/en_US/exchange/wr36000.html > | |
| | C12 | Business Wire, "Fritz Offers Faster Duty and Tax Information to Clients; Takes Orders for New Proprietary Trade Cost Model," 4 pages, 02/10/1999 | |
| | C13 | ITS America web pages, "Syntra Technologies Launches Global Commerce Management Initiative," pp. 1-4, [online] [retrieved on 06/06/02] Retrieved from Internet: < http://itsa.org/ITSNEWS.NSF/4e0650bef6193b.../cc83903ba39f97852567da00407b7d?OpenDocument > | |
| | C14 | NextLinx web pages, "Supplylinks Chooses NetxLinx to Extend Global Transportation Solution," pp. 1-3 [online] [retrieved on 06/06/2002] Retrieved from Internet: < http://nextlinx.com/prs_rel3_20.html > | |
| | C15 | Qiva web pages, "Qiva Rolls Out Integrated Product Strategy; Launches New Web Site and Corporate Identity," pp. 1-2 [online] [retrieved 06/06/2002] Retrieved from Internet: < http://www.qiva.com/news/prbrand711.html > | |
| | C16 | From2com, 07/1999, Forms Strategic Alliance With Subasta.com, PR Newswire | |

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|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.
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¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|--|--|------------------------|----------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence during pendency of filed application)</i> | U.S. Department of Commerce Patent and Trademark Office | Application Number | 09/939,206 |
| | | Filing Date | August 24, 2001 |
| | | First Named Inventor | James M. Gill et al. |
| | | Group Art Unit Number | 2162 |
| | | Examiner Name | Unassigned |
| Total Number of Pages in This Submission | 9* | Attorney Docket Number | 22725-05869 |

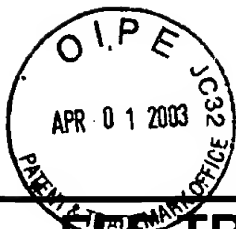
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| <input checked="" type="checkbox"/> Return Receipt Postcard | <input type="checkbox"/> Letter to Chief Draftsperson |
| <input type="checkbox"/> Response to Notice to File Missing Parts | <input type="checkbox"/> Formal Drawing(s): [] Sheet(s) of Figure(s) [] |
| <input type="checkbox"/> Assignment & Recordation Cover Sheet | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Declaration | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> Power of Attorney | <input type="checkbox"/> Certified Copy of Priority Document(s) |
| <input type="checkbox"/> Application Data Sheet | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement & PTO/SB/08A <input checked="" type="checkbox"/> Copies of IDS and 23 Cited References | <input type="checkbox"/> |
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| <input type="checkbox"/> Status Request | <input type="checkbox"/> |
| <input type="checkbox"/> Revocation and Substitute Power of Attorney | <input type="checkbox"/> |

REMARKS: * cited references not included in page count

| SIGNATURE OF ATTORNEY OR AGENT | | |
|--------------------------------|---|----------------|
| Signature: | | |
| Attorney/Reg. No.: | Brian M. Hoffman, Registration No. 39,713 | Dated: 3/26/03 |

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| Typed or Printed Name: | Brian M. Hoffman | Dated: 3/26/03 |
| Express Mail Mailing Number (optional): | | |



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|--|--|--------------------------|---------------------|
| FEE TRANSMITTAL for FY 2003 Patent fees are subject to annual revision. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | Complete if Known | |
| | | Application Number | 09/939,206 |
| | | Filing Date | August 24, 2001 |
| | | First Named Inventor | James McGill, et al |
| | | Examiner Name | Unassigned |
| TOTAL AMOUNT OF PAYMENT (\$) 0 | | Art Unit | 2162 |
| | | Attorney Docket No. | 22725-05869 |

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| METHOD OF PAYMENT (check all that apply) <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account: Deposit Account Number: 19-2555 Deposit Account Name: Fenwick & West LLP The Commissioner is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Charge any additional fee(s) required under 37 CFR 1.16 - 1.21 or credit any overpayments to the deposit account. [†] <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the deposit account. A Duplicate Copy of this authorization is attached | | FEE CALCULATION (continued) | | | |
| 1. BASIC FILING FEE Large Entity Small Entity Fee Code Fee Code Fee Description Fee Paid 1001 750 2001 375 Utility filing fee 1002 330 2002 165 Design filing fee 1003 520 2003 260 Plant filing fee 1004 750 2004 375 Reissue filing fee 1005 160 2005 80 Provisional filing fee SUBTOTAL (1) (\$) | | 3. ADDITIONAL FEES Large Entity Small Entity Fee Description Fee Paid 1051 130 2051 65 Surcharge - late filing fee or oath 1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet 1053 130 2053 130 Non-English specification 1812 2,520 1812 2,520 For filing a request for <i>ex parte</i> reexamination 1804 920* 1804 920* Requesting publication of SIR prior to Examiner action 1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action 1251 110 2251 55 Extension for reply within first month [†] 1252 410 2252 205 Extension for reply within second month [†] 1253 930 2253 465 Extension for reply within third month [†] 1254 1,450 2254 725 Extension for reply within fourth month [†] 1255 1,970 2255 985 Extension for reply within fifth month [†] 1401 320 2401 160 Notice of Appeal 1402 320 2402 160 Filing a brief in support of an appeal 1403 280 2403 140 Request for oral hearing 1451 1,510 1451 1,510 Petition to institute a public use proceeding 1452 110 2452 55 Petition to revive - unavoidable 1453 1,300 2453 650 Petition to revive - unintentional 1501 1,300 2501 650 Utility issue fee (or reissue) 1502 470 2502 235 Design issue fee 1503 630 2503 315 Plant issue fee 1460 130 1460 130 Petitions to the Commissioner 1807 50 1807 50 Processing fee under 37 CFR 1.17(g) 1806 180 1806 180 Submission of Information Disclosure Statement 8021 40 8021 40 Recording each patent assignment per property (times number of properties) 1809 750 2809 375 Filing a submission after final rejection (37 CFR 1.129(a)) 1810 750 2810 375 For each additional invention to be examined (37 CFR 1.129(b)) 1801 750 2801 375 Request for Continued Examination (RCE) 1802 900 1802 900 Request for expedited examination of a design application Other fee (specify) _____ | | | |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE Total Claims: 20** X Fee from below = Independent Claims: 3** X = Multiple Dependent: = Large Entity Small Entity Fee Code Fee Code Fee Description Fee Paid 1202 18 2202 9 Claims in excess of 20 1201 84 2201 42 Independent claims in excess of 3 1203 280 2203 140 Multiple dependent claim, if not paid 1204 84 2204 42 **Reissue independent claims over original patent 1205 18 2205 9 **Reissue claims in excess of 20 and over original patent SUBTOTAL (2) (\$) | | SUBTOTAL (3) (\$) 0 | | | |
| *or number previously paid, if greater; For Reissues, see above | | *Reduced by Basic Filing Fee Paid | | | |

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|---------------------|------------------|-----------------------------------|---------|
| SUBMITTED BY | | Complete (if applicable) | |
| Name (Print/Type) | Brian M. Hoffman | Registration No. (Attorney/Agent) | 39,713 |
| Signature | | Telephone (415) 875-2484 | |
| | | Date | 3/26/03 |

[†]Request for Extension of Time per 37 CFR 1.136(a)(3) made hereby